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Oct 2nd, 10:30 AM - 12:00 PM

# Democratizing Human Rights from Below: Blacklisted Workers at the European Court of Human Rights (abstract)

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Kahraman, Filiz, "Democratizing Human Rights from Below: Blacklisted Workers at the European Court of Human Rights (abstract)" (2015). *The Social Practice of Human Rights: Charting the Frontiers of Research and Advocacy*. 3.  
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## **The Social Practice of Human Rights: Charting the Frontiers of Research and Advocacy**

2015 Conference of the University of Dayton Human Rights Center

Oct. 2-3, 2015, Dayton, Ohio

For the archive of the conference, see [http://ecommons.udayton.edu/human\\_rights/2015/](http://ecommons.udayton.edu/human_rights/2015/)

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**Research Panel:** Justice and Judicial Systems

**Presenter:** Filiz Kahraman

**Title:** Democratizing Human Rights from Below: Blacklisted Workers at the European Court of Human Rights

**Abstract:** Labor activists around the world are increasingly attempting to use human rights frameworks to draw attention to serious labor rights violations. While some scholars are enthusiastic about the prospects that this new alliance between human rights advocates and labor activists will renew a focus on labor issues, others are skeptical about turning away from the traditional vehicles—such as social citizenship, the welfare state, trade unions, and collective bargaining, which are in decline in many parts of the world—toward individual rights-claiming before the courts. Yet, we lack a comparative study that carefully examines the effects of these rulings on the ordinary lives of aggrieved workers. Focusing on the mobilization of trade union rights activists from the UK at the European Court of Human Rights (ECtHR), this research aims to understand whether and how human rights frameworks can be mobilized for social change. I specifically examine the legal mobilization of the Blacklist Support Group, which is a grassroots organization formed in 2009 to publicize and challenge the massive blacklisting of construction workers, mainly due to their trade union activities. I situate this case study in a broader effort by the trade union movement in the UK to claim labor rights as human rights and the changing role of the ECtHR vis-a-vis labor rights by analyzing the trade union rights cases brought before the ECtHR from the UK. This broader picture suggests that grassroots mobilization play an important role in changing international law and democratizing human rights from below. Furthermore, I also show that while the formal judicial remedies are often limited, the legal mobilization efforts at the ECtHR have opened new discursive and strategic avenues for labor activists that can be explored in other forms of labor activism.

**Keywords:** Labor activism, legal mobilization, international law, Europe

### **Biography:**

I am a PhD candidate in the Department of Political Science and a graduate fellow at the Comparative Law and Society Studies (CLASS) at the University of Washington (UW). I hold an MA in political science from UW and a BA in political science from Bogazici University in Istanbul, Turkey.

I am currently conducting fieldwork for my dissertation research, supported by the National Science Foundation. I have previously been granted numerous other fellowships and grants, including the David J. Olson Graduate Fellowship for Labor Studies, the EU Center of Excellence Graduate Research Grant, the Chester A. Fritz and Boeing Fellowships for International Research and Study, and Individual Research Grant from the Harry Bridges Center for Labor Studies.

This presentation is part of my dissertation research, where I analyze legal mobilization of labor activists at the ECtHR. I created an original database of labor cases brought before the ECtHR from all member states to examine whether and how the Court's jurisdiction on labor rights has expanded over the years. And to better understand the local dynamics of activism, I conduct a comparative case study of legal mobilization of labor activists in Turkey and the UK.